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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,408	11/19/2003	Mark Meister	1353.1003C	5313
21171	7590	08/11/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			LIM, KRISNA	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/715,408	Applicant(s) MEISTER ET AL.	
	Examiner Krisna Lim	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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1. Claims 1-11 are presented for examination.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 6, 7, 8, 9, 10 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Chrabaszcz [U.S. Patent No. 6,073,133]. This reference was used in the parent case.
4. Chrabaszcz anticipated (e.g., see Fig. 3) the invention substantially as claimed. Taking claims 1, 6, 7, 8, 9, 10 and 11 as exemplary claims, the reference anticipated an e-mail method, comprising the steps of:
 - a) recognizing whether a complete electronic mail message having a valid recipient address is to be sent (e.g., see items 306 to 312 of Fig. 3), after a send function has been initiated (304 of Fig. 3), from a sending side to a receiving side;
alerting a system user on the sending side as to the message being sent (314 of Fig. 3);
allowing the user to authorize sending of the message, or stopping transmission of the message until authorized by the user, or providing the user with an opportunity to consider canceling transmission of the message until

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authorized by the user [(e.g., when the user clicks on the "Send" button of the email program) (e.g., see col. 1, line 67, to col. 2, line 9)].

5. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chrabaszcz [U.S. Patent No. 6,073,133] in view of Rollins [U.S. Patent No. 6,434,601]

6. As to claims 1-11, while Chrabaszcz discloses a method that ensures an electronic mail message is complete before the message is transmitted to its recipient(s) (e.g., see the abstract, col. 1, lines 58-61) and the method for verifying the message when a user is finishing composing the message [(e.g., when the user clicks on the "Send" button of the email program) (e.g., see col. 1, line 67, to col. 2, line 9)]. Moreover, Chrabaszcz discloses the feature that alters the user and allows the user to modify the message before the message is sent. While Chrabaszcz discloses that the e-mail message consists of three sections: a header (to include addressee(s), title, return address, etc.), a body and attachments (if any) (e.g., col. 1, lines 18-21), Chrabaszcz does not mention the modification of an addressee list or erase the message. Such modification or correction of an addressee's e-mail address is clearly taught by Rollins (e.g., see an abstract). Since both of these two references are directed to a method of ensuring error free before sending out e-mail to the recipient(s), it would have been obvious to one of ordinary skilled in the art at the time the invention was made to combine the teaching of Rollins into Chrabaszcz because by incorporating the teaching of Rollins into Chrabszcz would enhance more options for the user to modify the e-mail messages.

A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to

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respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Krisna Lim whose telephone number is (703) 305-9672. The examiner can normally be reached on Monday-Friday from 9:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Glenton Burgess, can be reached at (703) 305-4772. The fax phone numbers for the organization where this application or proceeding is assigned is are as following:

(703) 746-7238 [After Final Communication]
or

(703) 746-7239 [Official Communication]
(703) 746-7240 [For Status inquiries, draft communication]

and/or

(703) 306-5631, (703) 306-5632 or (703) 306-5633 for [Customer Service Numbers]

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [glen.burgess@uspto.gov].

All Internet e-mail communication will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirement of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Office Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

KI

August 8, 2004



KRISNA LIM
PRIMARY EXAMINER